

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANDREW FITCH, RICHARD  
D’ALESSANDRO, and MICHELLE  
HUTCHISON, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

GIANT EAGLE, INC. d/b/a GETGO CAFÉ  
+ MARKET,

Defendant.

Consolidated Civil Action No. 2:18-cv-  
01534-RJC-CRE

JORDAN JONES, ROBERT LEMUS and  
JASON REED, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

GIANT EAGLE, INC.

Defendant.

**JOINT REPORT REGARDING STATUS OF JOINT NOTICE OF COLLECTIVE  
ACTION LAWSUIT AND AGREEMENT TO PARTICIPATE IN MEDIATION**

Plaintiffs and Defendants (collectively, the “Parties”) submit this joint report in order to update the Court on the progress of their meet-and-confer discussions regarding submission of a proposed notice of lawsuit to send to the members of the conditionally certified collective actions, as well as their recent agreement to participate in mediation in an attempt to resolve the claims at issue in these consolidated actions.

1. Pursuant to Judge Eddy's February 25, 2021 Order (ECF No. 209) regarding the submission of either a joint proposed notice of lawsuit ("Notice") or alternative forms of Notice from either side for the Court's consideration, the Parties have been diligently meeting and conferring and have reached agreement on many aspects of the content of the Notice. The Parties are also preparing a proposed stipulation regarding the method of distribution of the proposed Notice and receipt of consent to join forms from individuals who wish to opt-in to the litigation.

2. The Parties are continuing to meet and confer and, in order to try to reach agreement on the remaining issues as to the proposed Notice (and proposed stipulation), the Parties have requested a modest two-week extension of the deadline to submit the joint Notice or alternative forms, as well as the deadline to respond to those portions of the other party's Notice that is objected to. *See* ECF No. 211.

3. The Parties have also recently agreed to participate in a mediation in an attempt to resolve the claims at issue in these consolidated actions. The Parties are currently discussing the details of the mediation, including the name of mediator and the date of the mediation. The Parties have agreed to promptly submit a further joint status report to the Court as soon as the details of the mediation are confirmed.

4. In the meantime, and in order to avoid any unnecessary delays should mediation ultimately not be successful, the Parties respectfully propose to submit by April 8, 2021 the Parties' joint Notice or, alternatively, competing forms of Notice for the Court's consideration. The Parties believe that, in light of their agreement to participate in mediation, any Court-approved Notice should not be sent until after the Parties participate in mediation and determine whether the cases may be resolved.

5. The Parties appreciate the Court's consideration of the above issues and stand ready to answer any questions the Court may have.

Dated: March 25, 2021

s/ Jason Conway

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***Attorneys for Defendant***

*Attorneys for Plaintiffs and the Putative  
Classes and Collectives*

**CERTIFICATE OF SERVICE**

I certify that, on March 25, 2021, I caused to be served a true and correct copy of the  
aforementioned document to be sent electronically through the Court's CM/ECF system to all  
counsel of record in these matters.

s/ Jason Conway  
Jason Conway